

HARRY K. THAW DIRECTS CASE

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turn if he would be influenced by the so-called higher or unwritten law to the exclusion of the actual law of the State as they would be laid down by Justice Fitzgerald. There was none to say he would not accept the court's ruling as to all questions of law.

On the question of insanity as an excuse for crime, the defense explained to each juror that the law excused only those persons who were laboring under such a defective reason as not to know the nature of the quality of the act committed or even to know that the act was wrong.

"That is the law," declared Mr. Jerome. "Now, would you import into your conclusion any imaginary form of insanity you might have in mind or the might be suggested to you to the exclusion of the law as it will be laid down to you by the court?"

Again the talesmen said in turn that they would be guided solely by the court. Thaw's counsel entered objections only to certain forms of questions propounded by Mr. Jerome along this line. They declared they had no objection to the questions in principle. The usual peremptory of talesmen who declare their conscientious scruples against capital punishment was missing to-day. On the other hand, however, every talesman examined said he had formed or expressed an opinion in the case. All admitted, however, that their opinions were based on newspaper reports, and these had been so conflicting from time to time as to make their opinions susceptible of change by the actual evidence.

Closely Questioned.

The talesmen were asked if they knew Thaw's friends, or White's or any one connected with the case. They were asked if they were on the Madison Square Roof Garden the night of the tragedy; if they had friends in Pittsburgh, or if their sympathy or emotions would affect their fair-minded judgment.

The examinations by District Attorney Jerome, and by Thaw's counsel varied little on essential points.

The presence of three noted alienists in the courtroom, as prospective witnesses for the prosecution created some comment.

Thaw sat during the day at the table set apart for his counsel. At times he seemed to take a lively interest in the examination of the men summoned to decide his fate, leaning well forward and holding his hand to his ear to catch every word that might fall from the lips of the talesmen. Again he would seem listless, and his eyes, deep set and having something of a stare, roved about the courtroom.

His face was pallid, doubtless due to his seven months' confinement in the Tombs. Thaw is fully six feet in height and is quite thin. He wore a dark blue sack coat, and had always with him a paid waiter.

The Prisoner's Family.

Just behind the prisoner sat the several members of his family, gathered here for the trial. They had arrived before the prisoner was summoned for the morning session, and greeting him with a smile as he strode past on the way to his seat. With his eyes resolutely to the front, Thaw did not see his mother or his wife until he was almost upon them. Then his sober face broke into a quick smile, and he bowed graciously.

Mrs. Thaw, the prisoner's mother, was the first of the family to arrive. She was dressed in black and wore a black veil, her white hair showing in striking contrast against the sombre costume. She sat with her eyes fixed upon her son, and spoke but seldom to her children about her.

During the long and somewhat tedious afternoon session she threw back her veil the better to see and study the faces of the prospective jurors as they were called to the stand.

Countess of Yarmouth.

The Countess of Yarmouth, who was Miss Alice Thaw, followed her mother. Her gown was of brown, cut with coat effect. Her brown hair was of a full, heavy wave, well covered by her veil. But the countess, too, after she had become more accustomed to her surroundings, pushed aside the veil which had hidden her features. There was a decided murmur in the courtroom as the spectators noted the striking resemblance between the countess and the prisoner. The lines of her face were more delicate and the features faintly modeled; but these served to make the resemblance all the more striking.

Evelyn Nesbit.

Mrs. George Lester Carnegie, another sister of the defendant, came in with the countess. She wore a light-colored gown and a large, ornate necklace. She was the first glimpse of Mrs. Evelyn Nesbit Thaw, around whom the mass of the great trial will rage.

She quickly appeared with Miss May McKenzie, the actress, who has been her sole companion since the night of the tragedy, when the artist's model wife of Stanford White's slayer fled to Miss McKenzie's apartment. The younger Mrs. Thaw was dressed in dark blue and wore a plain dark hat, which was almost entirely covered by a white tulle veil.

Not once during the day did Mrs. Thaw remove the veil, but her features were plainly discernible, and there was about them much of the beauty which caused her to be so widely sought as a model by noted artists.

Closest Attention.

Her dark mass of hair made a pretty setting for the ivory of her cheeks. She seemed to take the keenest interest in every question put to the talesmen, and was constantly nodding her head as if to give assent to some mental conclusion she had reached. Hardly ever during the day did Harry Thaw take his eyes from the front and look at his relatives. His brother, Edward Thaw, a retired newspaper law, George Carnegie, sat almost at his elbow.

The family party was escorted to waiting automobile cabs at the end of the day by a squad of policemen. Quite a crowd loitered about the building to catch a glimpse of Mrs. Thaw and the others. But four women admitted. Aside from the members of the family, there were only four women in the courtroom, and these were newspaper writers. The attendance to-day was confined to newspaper people and juror talesmen.

The jurors who remained in the box when the day was done, and who were turned over to a balliff, who will have them in custody until the end of the trial, were Darius B. Smith, a retired manufacturer of umbrellas, and Charles H. Ficke, an employing teamster. Both men are married and have families. Smith is about fifty-five years of age and Ficke forty-five.

The trial will be resumed to-morrow morning at 10 o'clock, and there will be two daily sessions, concluding each afternoon at 5 o'clock.

200 Newspaper Men Attend.

Before the hour of trial arrived this morning the police lines had been extended to corridors adjacent to the courtroom to include the entire first floor of the Criminal Courts building. The public had been warned in advance not to attempt to get into the courtroom and few appeared. There were numerous clashes between reporters and correspondents and the police. Of the newspaper men there were perhaps 200, and there was a policeman for each. The great squad of bluecoats was commanded by a police inspector. Only about fifty newspaper writers finally were admitted, the remainder of the space in the courtroom being reserved for the 200 talesmen summoned on the special jury panel. Justice Pippen, of the Court of Appeals, Province of Manitoba, was one of the few persons not directly interested in the case who succeeded in gaining admittance to the courtroom.

He went there as the guest of District Attorney Jerome. The Justice said the case had attracted great attention in the Northwest, and that he was extremely anxious to be present at the opening of the trial.

Alienists in Court.

There was a decided stir when two prominent alienists—Dr. Carlos McDonald and Austin Flint—were escorted into court and given seats inside the clerk's box. They were seen in consultation with Mr. Jerome, and it was said they had been engaged by him to watch the case from the very start, to be prepared to give testimony whenever it might be required. These same doctors represented the district attorney when the Josephine

Terranova trial was stopped in order that a test might be made of her sanity. When District Attorney Jerome was asked what his purpose was in having alienists in the court, he replied with some feeling: "I will answer no questions connected in any way with this case, and I will make no statement about any phase of it during the progress of the trial."

Jerome in Charge.

His object may be to combat any testimony as to actual or emotional insanity which may be advanced by the defense. Mr. Jerome asked several of the talesmen to-day if they knew any of the alienists who had examined Thaw at the request of his own counsel. Among those mentioned by the District Attorney was Dr. Allen McLane Hamilton, who has publicly declared it to be his opinion that Thaw is insane. The action of District Attorney Jerome in conducting the examination of the talesmen was something of a surprise. It was known he was to have personal charge of the prosecution, but it was thought he would reserve his efforts until the day for delivering the opening address to the jury and examining the witnesses, leaving the selection of the jury to his assistant, Mr. Garvan, who was constantly at his elbow.

On behalf of Thaw the cross-examination of talesmen was left entirely to Mr. Hartbridge and John B. Gleason, the latter arguing the points of law when objections were interposed. Delphi M. Delmag and A. R. Penabody, also of counsel for Thaw, were present. Before the two jurors left the court after adjournment counsel had a brief conference with Justice Fitzgerald, at the conclusion of which the court told the jurors that they were not to talk or read about the case nor to express an opinion on it. If any one spoke to them about it they were told to report that fact to the court. The court regretted that the jurors would have to "be kept together." This was taken to mean that

they will be under guard during recesses and at the close of each session until the end of the trial.

Quarters have been reserved for them at the Broadway Central Hotel.

For the Civil Service.

A civil service examination for clerks and carriers in the Manchester Postoffice will be held in that city on February 13th.

Application blanks and information can be secured by application to H. F. Archer, secretary, Richmond.

Church Hill Society.

A regular meeting of the Church Hill Medical Society will be held at the Virginia Club to-night at 8:30 o'clock. The special subject of discussion will be "Pneumonia." Papers will be read by Drs. E. H. Terrell and J. F. Jones.

St. Paul's Annual Meeting.

The annual meeting of the congregation of St. Paul's Church, set for Friday evening of this week, will be postponed until next week. Due notice of the day will be given.

T. P. A. To-Night.

Post A. of the T. P. A. will hold a regular meeting at headquarters, Third and Main at 8:10 o'clock to-night. A good deal of business of more or less importance is to be transacted.

Had a Reasonable Doubt.

"I owe you a debt of gratitude, old man!" "Thanks. Shall I put that in my list of assets or liabilities."—Cleveland Press.

HEADACHES AND NEURALGIA.

LAXATIVE BROMO Quinine, the world wide Cough and Grip remedy, removes cause. Call for full name. Look for signature E. W. Grove, 23c.

PARADE Berry's Price-Chopping Sale of Men and Boys' Fine Clothing! Begins This Morning.

All through the stock the axe has been applied; deep—mercilessly. Winter's been too gentle—too many of you have held back from buying. There's sure to be a rush here now—as winter is just setting in—so be "up and doing" if you want first choice. There's the elite of the stock to pick from.



It's Bargain Time at Berry's in Men's Suits and Overcoats

Take your pick at the price that suits you best. You can't make a mistake buying here.

Men's Suits that were \$12.50 to \$15, now	\$9.75
Men's Suits that were \$18. to \$20, now	\$12.75
Men's Suits that were \$22. to \$25, now	\$17.75
All Sizes and Styles to Start With.	
Men's Overcoats that were \$12.50 to \$15, now	\$ 9.75
Men's Overcoats that were \$18. to \$20, now	\$12.75
Men's Overcoats that were \$25. to \$28, now	\$17.75
Men's Overcoats that were \$35 and \$38, now	\$24.75

All the new styles, cuts, weights, lengths and fabrics included.

Men's Trousers.

That were \$4. and \$3.50 at	\$2.50
That were \$6. and \$5. at	\$3.50
That were \$7. at	\$4.75
That were \$8. at	\$5.75
That were \$10 at	\$6.75

Men's Fancy Vests.

Just Half Price.

\$2. Vests at	\$1.00
\$3. Vests at	\$1.50
\$4. Vests at	\$2.00
\$5. Vests at	\$2.50
\$6. Vests at	\$3.00
\$7. Vests at	\$3.50
\$8. Vests at	\$4.00

We've rubbed out prices on

Boys' and Children's Suits and Overcoats

So we can have a clean slate for Spring.

Every new idea for comfort, style and economy is here—marked at prices that will make them yours on sight!

JUVENILE, RUSSIAN and SAILOR BLOUSE SUITS, in Black, Blue, Red, Royal, Brown and Gray, that were—

\$6 and \$5—sizes 2½ to 5 years—now,	\$2.85
\$7 and \$6—sizes 2½ to 6 years—now,	\$3.50
\$8.50 and \$7—sizes 3 to 10 years—now,	\$4.75

BOYS' DOUBLE-BREASTED SUITS, of Cassimeres and Tweeds, in Blacks, Blues and Grays, that were—

\$5.50 and \$5. at	\$3.50
\$7.50 and \$6.50 at	\$4.75
\$9. and \$8.50 at	\$5.75

All sizes from 6 to 17 years.

Boys' and Girls' Reefers.

Of kersey, chinchilla, tweed and serges, in navy, royal, red and gray, that were

\$12 and \$10, now	\$6.75
\$9 and \$8.50, now	\$5.75
\$7.50 and \$7, now	\$4.75

Boys' Overcoats.

In Russian, admiral, box-plaited and reefer styles—all shades and fabrics, that were

\$12 and \$10, now	\$6.75
\$9 and \$8.50, now,	\$5.75
\$7.50 and \$7, now	\$4.75
\$6 and \$5, now	\$3.50

Sizes, 3 to 17 years.



O. H. Berry & Company.

OBITUARY.

Mrs. Mary Rooney.

Mrs. Mary Rooney, seventy-one years of age, died at her home, No. 708 Mosby Street, at 10:15 o'clock January 23d. She leaves one son, Mr. Arthur J. Rooney, of this city, to mourn his loss. The funeral will take place from St. Patrick's Church at 10 o'clock to-morrow morning.

Funeral of Frank Shipman.

The funeral of Mr. Frank Shipman, who died in his home on the Williamsburg Road, Henrico county, on Tuesday, will take place from the house at 11 o'clock this morning. Interment will be in Oakwood Cemetery. Mr. Shipman was a prominent farmer. He leaves a wife and five children.

E. H. Wright.

Mr. E. H. Wright died yesterday morning in his home, No. 1107 North Twenty-sixth Street. He leaves a widow, four daughters and two sons. The funeral will take place from East End Baptist Church at 3 o'clock this afternoon.

George O. Conrad.

HARRISONBURG, VA., January 23.—George O. Conrad, one of the oldest and most highly respected citizens of Harrisonburg, died early this morning at his home here, after a very brief illness. Mr. Conrad was in his eighty-fourth year, and had resided in Harrisonburg since 1858. He was a member of the Churchville Cavalry, Fourteenth Regiment, Virginia Cavalry, McCausland's Brigade, during the Civil War, and was wounded and captured at Front Royal, being held in prison at Fort Mifflin, and Point Lookout until near the close of the war. He was of German ancestry, one of his maternal grandfathers, Adam Miller, having been one of the first settlers in the Valley of Virginia. He was Mayor of Harrisonburg before the Civil War, and had been engaged in the jewelry business for over half a century. Surviving him are three sons—Comma-

wealth's Attorney George N. Conrad and Ed. H. Conrad, both prominent members of the Harrisonburg bar, and Thomas W., a bank cashier in Lakeland, Fla., and three daughters—Mrs. Haas, wife of Judge T. N. Haas; Mrs. T. O. Jones, and Miss Mary L. Conrad. His wife, who died ten years ago, was a daughter of the late Colonel William B. Yancey.

P. G. Berry.

CREWE, VA., January 23.—Mr. P. G. Berry died at the home of his parents here Tuesday night, aged twenty-two years. He leaves a father, Mr. Gus Berry, engineer of the Norfolk and Western; a mother, three sisters and five brothers.

John W. Gallahan.

FREDERICKSBURG, VA., January 23.—Mr. John W. Gallahan, of Stafford county, died to-day at his home, near Stafford Courthouse, after a long illness, aged seventy-two years. He was a Confederate soldier and is survived by his wife and five children.

Mrs. Charles Foote.

(Special to The Times-Dispatch.) LURAY, VA., January 23.—Mrs. Charles Foote, wife of a merchant at Stanleyton, this county, died yesterday, aged about forty-eight years. Mrs. Foote was a daughter of Mr. T. O. Graves of this county. She was a very popular woman, and was identified largely with church work in her county.

Oliver Beasley.

(Special to The Times-Dispatch.) FREDERICKSBURG, VA., January 23.—Mr. Oliver Beasley, of Caroline county, died last night at his home, near Guinea, aged seventy-two. He is survived by his wife and several children.

Mrs. Martha Bradford.

(Special to The Times-Dispatch.) WINCHESTER, VA., January 23.—Mrs. Martha Bradford, wife of Thomas Bradford, died at her home near Kerns, town this morning, aged fifty years. Mrs. Bradford sustained a stroke of paralysis a few days ago, and never re-

covered consciousness. Surviving her are her husband and five daughters—Mrs. Martha Jacobs, Mrs. Mamie Armel, and Misses Emma, Martha and Pearl Bradford.

DEATHS.

LEIGH.—Died, January 23d, at 8:20 A. M., at her sister's home, in King and Queen county, Mrs. NANNIE T. LEIGH.

Her remains will reach Richmond via York River Railroad at 9:15 o'clock THURSDAY MORNING and be taken to Union Station Methodist Church, from which place funeral services will be conducted at 3 o'clock P. M. Interment at Oakwood Cemetery.

ROONEY.—Died, at her home, No. 708 Mosby Street, January 23d, at 10:15 A. M. Mrs. MARY ROONEY, in the seventy-first year of her age. She was the wife of Mr. Arthur J. Rooney, of this city, who mourns his loss. Her funeral will take place from St. Patrick's Church FRIDAY MORNING at 10 o'clock.

STEINER.—Died, 6:45 P. M., January 23, 1907, at his home, No. 318 N. Twelfth Street, ABRAHAM STEINER, aged fifty-two years. Funeral notice later.

TINSLEY.—Died, at her parents' residence, No. 516 West Eighth Street, Manchester, Va., at 8:30 o'clock Wednesday evening, EVA, beloved daughter of Octavia and Isaac Tinsley, in the seventeenth year of her age. Her gentle voice is hushed, and on thy pale and peaceful face is resting death's cold chill.

Funeral will take place FRIDAY EVENING at 8 o'clock from the above residence. Interment in Maury Cemetery.

